



IFCJ 2836

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Robert LOHR and Laurent VERDIER
Serial no. : 10/534,185
Filed : with an effective filing date of November 7, 2003
For : PERMANENT CONTROL DEVICE FOR THE
GROUNDDING OF AN ELECTRIC PUBLIC
TRANSPORT VEHICLE RUNNING ON TYRES
AND WHICH IS SELF-GUIDED
Group Art Unit : 2836
Examiner : Dharti Haridas Patel
Docket : METPAT P76AUS

The Commissioner for Patents
U.S. Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR CONSIDERATION OF
TIMELY FILED INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Upon reviewing this application, it has come to the attention of the undersigned that all of the prior art, which was timely and properly made of record in this case, has apparently not been substantively considered by the Examiner. Specifically, the Applicant prepared and timely filed an Information Disclosure Statement, along with PTO/SB/08a/08b and copies of the necessary citations (a copy of the returned postcard, the previously submitted Statement and PTO/SB/08A/08b is attached along with a further copy of AT 409 248 B and International Search Report), under a May 6, 2005 Certificate of Express Mailing Date. The Examiner apparently did not consider AT 409 248 B—this reference was merely crossed off the returned copy of PTO/SB/08a/08b.

As all of the necessary requirements of 37 CFR 1.98 were timely complied with, namely, (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office, (2) a legible copy of each foreign patent; and (3) a concise explanation of the relevance, as it is presently understood by the individual designated in §§ 1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language (see the International Search

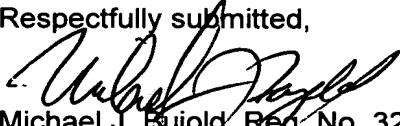
Report) were provided, the Applicant respectfully requests the Examiner consider the AT 409 248 B reference at this time.

It is submitted that the allowed claims are distinguishable over all of the prior art of record, including the AT 409 248 B reference which was apparently not previously considered. However, in the event that the Examiner believes further prosecution of this application is warranted in view of this newly considered art, the Examiner is invited to withdraw this case from issue and provide the Applicant with a further action on the merits.

As all of this prior art was previously made of record in this case in a timely manner, it is respectfully submitted that Petition and/or an official fee is **not** necessary and the Examiner is required to substantively consider the same at this time. If any further action on the part of the Applicant is required in order for the Examiner to substantively consider this art, the Examiner is respectfully requested to contact the undersigned attorney immediately.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


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In re Appln. of: Robert LOHR and Laurent VERDIER
Serial No.:

Filed:

with an effective filing date of 11/7/2003

For:

PERMANENT CONTROL DEVICE FOR THE GROUNDING OF
AN ELECTRIC PUBLIC TRANSPORT VEHICLE RUNNING
ON TYRES AND WHICH IS SELF-GUIDED

Docket:

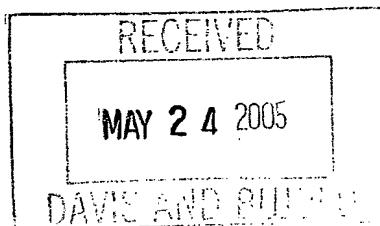
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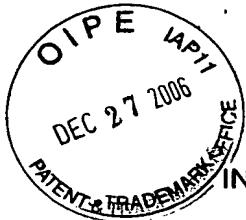
10/534185

Received: Check for \$1,000, 2 pg. PCT Trns. Ltr. (dupl.),
21 pg. Specification/Claims/Drawings, 4 pg.
Unsigned Declaration and Power of Attorney, 2 pg.
IDS/PTO/SB/08a, 8 pg. Preliminary Amendment,
3 pg. Int'l Search Report, 2 Citations, 1 pg.
PCT/IB/308, 1 pg. Int'l Publ. (face pg.), 5 pg.
Request, 1 pg. Submission of Formal Drawings,
4 pg. Drawings, 1 pg. Abstract

JC10 Rec'd PCT/PTO 06 MAY 2005

Day: 5/6/05





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INFORMATION DISCLOSURE STATEMENT

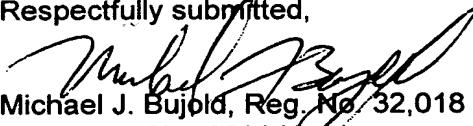
Dear Sir:

In connection with this matter, the Applicant hereby attaches United States Patent Office Form PTO/SB/08a and copies of the information listed in the enclosed PTO/SB/08a form, unless otherwise indicated on such Form.

The concise explanation, concerning the now submitted foreign language documents, is found on the submitted International Search Report (see MPEP § 609).

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


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PTO/SB/08a (08-03)

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(Use as many sheets as necessary)</i></p>		Complete if Known				
		Application Number				
		Filing Date		with an effective filing date of November 7, 2003		
		First Named Inventor		Robert LOHR and Laurent VERDIER		
		Art Unit				
		Examiner Name				
Sheet	1	of	1	Attorney Docket Number	METPAT P76AUS	
U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ²	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
✓	1	US-5,960,717	10-05-1999	ANDRE		
	2	US-				
	3	US-				
	4	US-				
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	8	US-				
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✓	1	AT 409 248 B	6-25-2002	ELIN EBG TRACTION GMBH		✓
	2					
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Examiner Signature				Date Considered		